Supreme Court, U.S.
FILED
FEB 14 2006
OFFICE OF THE CLERK

No. _____

In the

Supreme Court of the United States

PRINCESS MCCULLOUGH, pro se and
HENRY MCCULLOUGH, pro se,

Petitioners,

v.

SCOTT HALL ORGANIZATION ENTITY JOHN CARGILE AMERICAN ORGANIZATION ENTITY CATHOLIC DIOCESE'S PROPERTIES OF FORT WAYNE-SOUTH BEND INDIANA BARNES & THRONBURG PROPERTIES ORGANIZATION ENTITY ET AL

Respondents

Petition for a Writ of Certiorari to the United States Court of Appeals for the Seventh Circuit

PETITION FOR A WRIT OF CERTIORARI

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SUMMARY OF QUESTIONS PRESENTED

1. Is this landmark case of significant national and state importance to American Citizens of African Heritage and those of Non-Caucasian Identity, due to or because it is the heart of United States Constitution and State of Indiana Constitution protecting individual rights given to American, and Non-American Citizens (*under American authority*), who are of Caucasian Identity?

2 Can any individual be denied entry and/or evicted and/or prevented entry into or upon Diocesan Properties by the Diocese Inc. Properties employee performing his/her duty, if properties are used for county, state and federal election voting?

3 Are State and Federal Courts Constitutionally obliged to instruct and protect pro se litigants as to their rights to appeal a Court's decision and the time limits imposed upon all parties, when attorneys and respondents fail to state in writing the consequences upon the Petitioners pro se's failures to act in a timely manner?

4 The broader question being, is whether American Citizens of African Heritage; those in alikeness who are of non-Caucasian Race; members of the third-age generation; the disabled of all Heritages and Caucasian Identity(s), are to enjoy free exercise, *Freedom of Religion, Freedom not to believe*, the right to redress, freedom from involuntary servitude; due process of law and equal justice under the law, as guaranteed to all Americans and all Peoples, by the Constitution of the United States in the 1st, 5th, 13th, 14th Amendments, and by the State of Indiana Constitution Articles 1, Sections 4, 12, 20, and 37?

QUESTIONS 1st, 5th 13TH 14th AMENDMENTS

1. Can One Organization Entity et al behaving as a Destructive Cult deny millions of faithful Americans redress for civil extreme secular acts and behaviors?

2. Can One Organization Entity et al. deny millions of registered members, the Body of the Church, Freedom of Religion?

3. Can One Organization entity et al. have the right to defame and scandalize millions of faithful members by their extreme secular acts, behaviors and then hide behind Church Autonomy Doctrine to protect its monetary interest?

4. Can One Organization entity et al. re-designate the respondents without the approval of the Court and petitioners?

5. Can One Organization Entity et al. threaten and intimidate petitioners to dismiss Cause in written letter after receiving a fair settlement offer?

6. Can One Organization entity et al, move Cause from State Court to US District Court without all respondents signing the petition?

7. Can the US District Court apply time limitations to the petitioners pro se if the Honourable Court or Attorney of record did not notify petitioners of the consequences of the magistrate's order?

8. Can the petitioner's Cause be retained and heard in both the US District Court and the State Court for respective claims and complaints? Can a State Court stop petitioners' Cause of Action, denying due process of law?

9. Can a magistrate judge decide a motion without a verbal or written consent of reference from all parties?

10. Can a university-seminary under the cover of religion be liable vicariously for extreme secular abusive acts of its graduates who are priests, in a position of authority, due to inadequate education, training and counseling while the religious university/seminary receives state and federal funding.?

11 Can the U.S. District Court have jurisdiction over a Cause that was improperly removed to that court?

12, Can a paid employee use coercive tactics to force perfect attendance upon an American Citizen serving as a volunteer in his/or her God-gifted laity ministry?

REMAINING RESPONDENT(S)

(American Organization Entity Respondeat Superior Defendant(s))

1. Edward Malloy Past President-
2. Present President of *University of Notre Dame du Lac's Properties-
3. Peter Jarret-
4. Wilson Miscamble President-
5. Moreau Seminary's-*Properties-
6. Robert-Lengerich-
7. *John-D'Arcy's-
8. *John D'Arcy* *Catholic Diocesan-Properties of Fort Wayne-South Bend Indiana Inc.-
9. William Schooler-
10. Daniel Scheidt-
11. Daniel Jenky-
12. *St. Pius X Parish's Church Properties-
13. *St. Pius X Parish's Council's Properties-
14. *St. Pius X Parish's Choir Properties-
15. Henry Ciszczon-
16. *Knights of Columbus Properties Council 4263

*Footnote

To cover liability properties under Bishop's authority are used for liability insurance purposes

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John Doe v. Robert I. Kerwood-969 F. 2d 165 US Court of Appeals for the Fifth Circuit No. 91-8397, August 26, 1992; and *Loftis v. United Parcel Service et al* No. 01-00267, Appeal from the US District Court for Eastern District of Tennessee at Knoxville (Defective removal of Cause from State Court because all defendants did not sign the petition).....10

Kalan v. City of St. Francis, No. 00-2949 U. S. Court of Appeals for the Seventh Circuit, December 17, 2001(Lack of jurisdiction for magistrate judge to hear a Cause when no signed consent of reference exist).....8

Konkle v. Henson, 672 N.E. 2d 450, 456 (Ind. CT. App. 1996)*(*the One Organization Entity et al cannot hide behind the First Amendment to avoid liability after committing secular acts against adult parishioners).....13

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Mary M. v. City of Los Angeles No. S005910, Supreme

Court of California, 54 Cal. 3d 202 14 P.2d 1341, 285 Rptr. 99, 991, (Liability of Employer-Doctrine of Respondeat Superior(s).....13

Thomas v. Whitworth No.96-8482, US 11th Circuit Court of Appeals, March 5, 1998).(Lack of jurisdiction for magistrate judge to hear a Cause when no signed consent of reference exist).....9

Hall v. Sharpe. 812F.2d 644-47 (11th Cir. 1987) (Lack of jurisdiction for magistrate judge to hear a Cause when no signed consent of reference exist).....9

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Davis, as next friend of La Shonda D. v. Monroe County Board of Education et al. US No. 97-843 Decided May 24, 1999(Funding recipient acts with deliberate indifference and victim is harmed by harassment).....7

United States Morrison 529 US 598 627 2000 violence on women causes should be heard in State Courts.....13

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28 U.S.C. 1446(a) Procedure for Proper Removal (*requires each Defendant/Respondent(Respondent(s) officially joined the removal petition to validate the removal as proper)*.....

.....10

28 U.S.C. 1445(d)-Nonremovable actions-*(a civil action in a state court arising under section 40302 of the Violence Against Women Act of 1994 may not be removed to any court of the United States*.....11

28 U.S.C. Section 636(c) Consent of Reference for magistrate to hear a Cause *(All parties must knowingly and voluntarily consent to the reference*.....12

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28 U.S.C. 1447(c), Improper removal *(to a District Court prevents the District Court from having subject matter jurisdiction..)*.....11

42 U.S.C. Section 1983, Civil Rights (*Supports a citizen's right for redress and due process)*.....17

US Constitution, Amendments 1, 5, 13, 14 Section 1, respectively, (*Free Exercise-Freedom of Religion; Due process of law; Freedom from involuntary servitude; Equal justice under the law)*.....21

18 U.S.C. Section. 13981(a) Civil Rights (*to protect the civil rights of victims of gender violence*).....11

10. 18 U.S.C. Chapter 13 Civil Rights Section 241 (*protection from a conspiracy against rights)*.....11

CHURCH DOCTRINE TO BE REVIEWED WITH NEUTRAL PRINCIPLE ALL CHURCH

(For Public Viewing on internet (vatican.va)

(Documents filed into the Federal Records of the US District Court for Northern Indiana South Bend Division Cause 3:04 CV 274 RM); State Court; State Court of Appeals; State Supreme Court)

CNY Feature-"The Sin of Racism-Excerpts from the US Bishops' Pastoral Letter on Racism in Our Day" Nov. 14, 1979, 20th Anniversary of the Pastoral Letter.....

CNY in celebration of Black History Month 1999 and the entire pastoral letter "Brothers and Sisters to Us", US Catholic Bishops Pastoral Letter on Racism.....12

Pontifical Council For Justice and Peace Contribution to World Conference *Against Racism, Racial discrimination, Xenophobia and Related Intolerance* (Durham, 31 August-7 September 2001).....12

Declaration on Religious Freedom *Dignitatis Humanae* Right of the Person and of Communities to Social and Civil Freedom in Matters Religious as Promulgated by His Holiness Pope Paul VI on December 7, 1965 (Second Vatican Council.....21

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RELEVANT COURT ORDERS *(See Appendix)*

November 18, 2005, The Honorable US Court of Appeals affirms the opinion of the US District Court (thus denying petitioners (American Citizens) redress, due process and equal justice under the law(No. 05-3090).....1A

June 14, 2005 Honorable Chief Judge Miller, US District Court, denies Petitioners'(American Citizens) Motion for Leave and Writ of Error Petitioners' motion for leave to reopen Cause for the purposes of reviewing the magistrate's denial of motion to remand (thus denying redress, due process of law and equal justice under the law) (No. 3:04 CV 274 RM).....4A

June 26, 2004 Court Order signed by Honourable United States Magistrate Judge Nuechterlein placing a Stay on Discovery plan pending decisions on the numerous Motions to Dismiss, the Motion to Deny the Motions to Dismiss and the Motion for Default Judgment(thus denying due process of law)(No. 3:04-CV-274-RM) (*See Federal Court Records)*.....

June 7, 2004 Court Order signed, by Honourable United States Magistrate Judge Nuechterlein denying Petitioners motion for remand without a consent reference for jurisdiction signed by Petitioners and not informing petitioners of the consequences of the order.(thus denying due process)(No. 3:04 CV-274 RM) 11A